

ARTHUR R. OWENS.

JULY 10, 1840.

Read, and laid upon the table.

Mr. GIDDINGS, from the Committee of Claims, submitted the following

REPORT :

The Committee of Claims, to whom was referred the petition of Arthur R. Owens, report :

The petitioner sets forth in his petition that he was a volunteer in Captain William Donaldson's company of Alabama mounted rangers, employed in the United States service in removing the refugee Creek Indians off the Cherokee lands; that he rode his father's horse, appraised at \$45; and that the horse was lost while in said service, without any fault or negligence on his part; and after paying for said horse, and defraying the expense of his uniform and outfit, there has been nothing left from his pay to compensate him for his services: he therefore prays to have refunded to him the value of said horse.

There is no law or usage of the Government that would justify the committee in recommending relief under the circumstances of this case. When the petitioner entered the service, he contracted to furnish his own horse, for which he received a compensation: the loss, of course, was his, and not that of the Government, which has uniformly refused compensation in such cases. (See Rep. No. 921, 2d sess., 25th Cong.) The committee, therefore, recommend to the House for adoption the following resolution:

Resolved, That the prayer of the petitioner ought not to be granted.